

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 455A.5(6)“a,” 456A.24(7), 461A.4(2) and 463C.17, the Natural Resource Commission (Commission) hereby gives Notice of Intended Action to amend Chapter 14, “Concessions,” Iowa Administrative Code.

The purpose of this amendment is to exempt the future management of Honey Creek Resort State Park (HCR), likely to be provided through third-party concession operators, from existing concession rules found in Chapter 14. HCR’s management shall be governed by competitively bid contracts. This is consistent with Iowa Code section 461A.4(2), the statute pertaining to concessions, and will provide a commercial enterprise more flexibility in managing HCR in a profitable and sustainable manner.

This exemption will serve the state in two ways: First, the Department of Natural Resources (DNR) believes this approach will allow a commercial enterprise more flexibility in managing HCR in a profitable and sustainable manner. This approach will support the economic base of the region and communities surrounding HCR. Second, this approach will ensure that a valuable state resource is maintained with minimal public financial and administrative resources. Both the National Park Service and many state park systems, including those in South Dakota and Ohio, use a broader concession authority to manage their hospitality operations in parks.

Current concession rules are geared more toward small concessionaires, such as individuals selling firewood and vending machine food or operating a singular facility in the park, such as a restaurant. Current rules limit a concessionaire in its operations, including the length of contract (five-year maximum), its ability to construct new facilities, and its ability to hire subcontractors. Under the proposed rule, HCR’s management would be exempt from the concession rules and would instead be governed by competitively bid contracts, consistent with Iowa Code section 461A.4(2).

Any person may submit written suggestions or comments on the proposed amendment on or before July 28, 2015. Such written materials should be submitted to Sherry Arntzen, State Parks Bureau, Department of Natural Resources, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319-0034; fax (515)725-8201; or by e-mail to Sherry.Arntzen@dnr.iowa.gov. Persons who wish to convey their views orally should contact Sherry Arntzen at (515)725-8486 or at the State Park Bureau offices on the fourth floor of the Wallace State Office Building in Des Moines, Iowa.

There will be a public hearing on July 28, 2015, at 2 p.m. in the Wallace State Office Building, Conference Room 4 West, Des Moines, Iowa, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendment.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of those specific needs.

After analysis and review of this rule making, the proposed amendment may have a positive impact on jobs. HCR currently employs 120 to 180 staff (staff numbers vary between summer and winter). There are 20 full-time, salaried department managers, approximately 100 part-time/full-time staff, and approximately 60 seasonal staff. Although future concession management strategies are unknown, it is unlikely staff requirements would fall below these numbers due to the size of the resort and the amenities currently offered. In fact, DNR assumes that a future operator would retain much of the line management and staff to ensure continuity of operations, thereby preserving the employment of local residents. It is

more likely that staffing numbers would increase as the resort expands and diversifies its services, which is what the Commission expects of a concession operator.

This amendment is intended to implement Iowa Code sections 461A.4(2), 463C.17, and 456A.24(7). The following amendment is proposed.

Adopt the following new rule 571—14.9(456A,461A,463C):

571—14.9(456A,461A,463C) Honey Creek Resort State Park exemption. The rules in this chapter do not apply to Honey Creek Resort State Park.